



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY**  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
2565 PLYMOUTH ROAD  
ANN ARBOR, MICHIGAN 48105-2498

February 6, 2002

OFFICE OF  
AIR AND RADIATION  
CCD-02-04 (ICI)

Dear Independent Commercial Importer:

Subject: Announcement of ICI Workshop on March 27, 2002, 1-4 PM at EPA and Guidelines for Certification, Fuel Economy and Final Entry of ICI Vehicles

**Background**

The Certification and Compliance Division (CCD) of the U.S. Environmental Protection Agency (EPA) recently conducted a review of the certification, fuel economy and final entry practices used by Independent Commercial Importers (ICIs). Our review uncovered several on-going compliance issues. For example, we discovered that the correct 50,000 and 100,000 mile emission data for vehicles certified to Tier 1 emission standards on both the certification "summary sheet" in their application for certification and the EPA final admission form were missing in some submissions. We also discovered that the appropriate fees for some certification and modification/test vehicles entering the U.S. are not being paid; ref. the guidance provided in EPA's manufacturer guidance letter CD-92-07, dated July 7, 1992 (available at [www.epa.gov/otaq/cert/dearmfr/dearmfr.htm](http://www.epa.gov/otaq/cert/dearmfr/dearmfr.htm) or [www.epa.gov/otaq/guidance.htm](http://www.epa.gov/otaq/guidance.htm)). Several other compliance issues were also discovered. To assist ICIs in understanding the EPA compliance process, we have scheduled a workshop, described in more detail below. The remainder of this letter provides certification, fuel economy and final entry guidance, so that new ICIs will have correct instructions and existing ICIs may immediately correct any deficiencies.

The following guidance documents are enclosed with this letter:

1. Small Volume Manufacturer/ICI Initial Communication, dated January, 2002.
2. EPA guidance letter from Ms. Jane Armstrong, EPA to Mr. Peter Di Bernardi, dated April 14, 1999, as provided to all ICIs.
3. Example of an ICI Certification Summary Sheet.
4. Example of a properly completed final admission form (EPA Form 3520-8), as revised in November, 2001. (These forms are available from Len Lazarus at (202) 564-9281, or by emailing your request to [lazarus.leonard@epa.gov](mailto:lazarus.leonard@epa.gov).)
5. An EPA Contact List for ICIs.
6. EPA Motor Vehicle and Engine Compliance Program Fee Filing form, revised 12/01, available at [www.epa.gov/otaq/cert/dearmfr/feeform.pdf](http://www.epa.gov/otaq/cert/dearmfr/feeform.pdf).

**Announcement of EPA Workshop for ICIs on March 27, 2002:**

EPA will conduct a workshop for ICIs and potential ICIs on March 27, 2002, from 1 to 4 PM at the EPA National Vehicles and Fuel Emissions Laboratory Office Building, 2000 Traverwood Drive, Ann Arbor, Michigan. The purpose of the workshop is to provide an overview of EPA's certification, fuel economy, and import procedures for ICIs. We intend to cover 1) the information in this letter; 2) the fee payment process; 3) payment of overdue fee payments; 4) the final admission process for certified and modification/test vehicles; and 5) an informal question and answer session where EPA responds to questions from the audience.

We encourage ICIs to attend in person, however if you are unable to, you may participate via teleconference. If you would like to dial in, please contact John LaCroix at (734)214-4463 to reserve a telephone line.

### **Overview of EPA Certification and Fuel Economy Programs:**

Enclosure 1, listed above, provides a summary of the EPA certification and fuel economy procedures which we recommend be followed by ICIs to obtain future certificates. ICIs who follow the guidance in this document can expect quicker review time by EPA when reviewing applications and issuing certificates. Previous versions of this guidance document were sent to ICIs in the 1970's and 1980's (and have been sent to new small volume manufacturers from the 1970's through the present time). Because many new ICIs have begun certifying and importing vehicles in the past several years, EPA is once again providing this (updated) guidance document to ICIs.

As explained in the Enclosure 1, it is requested that all ICI's provide answers to the 14 questions<sup>1</sup> contained in Section C of Enclosure 1, once each year. If you have not already submitted answers to these questions for your 2002 program, you should submit them as soon as possible. Satisfactory answers to the questions are requested (in addition to the information required in your Part 1 and Part 2 application for certification) in order for EPA to more efficiently issue future 2002 and later certificates of conformity.

### **Determining Compliance with Tier 1 and NLEV Emission Standards:**

During our review of ICI certification practices, we discovered that the correct 50,000 and 100,000/120,000 mile emission data for vehicles certified to Tier 1 emission standards were not submitted in some applications for certification, as required under the provisions of 40 CFR 86.1844-01(d)(7). Many applications included only 50,000 mile compliance levels. [Emission standards for Tier 0, Tier 1, NLEV and Tier 2 light-duty vehicles and trucks are contained in the

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<sup>1</sup>Answers to these questions are requested under the authority contained in the provisions of 40 CFR 86.1848-01 and 85.1504(a)(1)(ix). This information is needed prior to submitting your first application for certification, for each certificate model year.

provisions of 40 CFR Parts 85.1515<sup>2</sup> and in 40 CFR Part 86 and are also available on the internet at [www.epa.gov/otaq/stds-ld.htm](http://www.epa.gov/otaq/stds-ld.htm).] Note that Tier 1 and NLEV light-duty vehicles (passenger cars) must demonstrate compliance with both 5 year/50,000 mile and 10 year/100,000 mile emission standards. In order to demonstrate compliance, the emission data from your test vehicle must be projected to the 50,000 mile and 100,000 mile points using what EPA calls deterioration factors (DFs). Enclosure 1, (page 8, Section A. 7.) contains information about using assigned DFs in lieu of testing a durability vehicle and calculating 50,000 and 100,000/120,000 mile DFs. Note that Tier 1 assigned DFs are different than the Tier 0 assigned DFs contained in EPA Advisory Circular 51C (available from your EPA certification contact person listed in Enclosure 5). Additional information about the assigned DFs (including the regulatory background for the DFs) is contained in Enclosure 1.

As a reminder, ICI's should submit in the application for certification the correct 50,000 and 100,000/120,000 mile emission data for vehicles certified to Tier 1 or NLEV emission standards, as required under the provisions of 40 CFR 86.1844-01(d)(7). ICIs are currently not required to submit computer data to the EPA data base (unlike small and large automobile manufacturers) however, this information is required to be included in the (Part 1 and Part 2) application for certification, ref. 40 CFR 86.1844-01(d) and (e). For ICIs, the application for certification should contain a summary of the emissions test data, city and highway fuel economy (mpg) data, test vehicle description, a description of vehicles covered by the certificate, all emissions test data, the 50,000 and 100,000/120,000 mile DFs, the 50,000 and 100,000/120,000 mile compliance level and the applicable 50,000 and 100,000/120,000 mile emission standards. For your reference, we have included an example of an ICI summary sheet as Enclosure 3. We recommend that the summary sheet in each ICI application should contain the information shown in the example.

### **Reduced Testing is Available for Some ICI vehicles:**

During our review of ICI certification practices, we found that some ICIs may not be following the guidance contained in EPA guidance letter from Ms. Jane Armstrong, EPA to Mr. Peter DiBernardi, dated April 14, 1999, as provided to all ICIs; see Enclosure 2. This guidance letter, issued pursuant to the provisions of 40 CFR 86.1823-01(c), allows ICIs to perform fewer certification tests than would normally be required to obtain a certificate, provided the vehicles being certified meet certain eligibility requirements. To be eligible for reduced certification testing, the vehicles covered by the certificate must be owner-imported vehicles<sup>3</sup> (not for resale) which are modified through the installation of OEM parts to be identical to a certified OEM vehicle sold in the United States. Other

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<sup>2</sup>The provisions of 40 CFR 85.1515 contain emission standards for ICI vehicles originally produced in 1968 to 1993 calendar year. For ICI vehicles originally produced in 1994 and later model year, these provisions refer to the applicable emission standards contained in 40 CFR Part 86. Note that National Low Emission Vehicle (NLEV) emission standards apply to ICI vehicles originally produced in 1999 to 2003 calendar years, but only to ICIs who optionally opt-in to the NLEV program. Tier 2 emission standards will apply to ICI vehicles originally produced in 2004 and later calendar years.

<sup>3</sup>As described in EPA guidance letter from Ms. Jane Armstrong, EPA to Mr. Peter Di Bernardi, dated April 14, 1999, an owner-imported vehicle is one which was imported for the private use of an individual and is not for commercial resale.

eligibility requirements are outlined in Enclosure 2. Reduced testing allows ICIs to obtain a certificate of conformity without performing Cold CO tests, SFTP tests, ORVR tests, and enhanced evaporative emissions tests which includes: 2-day, 3-day, running loss and spitback tests (a substantial cost savings to the ICI).<sup>4</sup>

### **Fee Payment Process:**

In general, ICIs are required to make a fee payment to the U. S. Treasury in advance of any EPA services related to EPA certification activities, pursuant to the provisions of 40 CFR 86.901-93 through 40 CFR 86.911-93, and EPA guidance letter CD-92-07, dated July 7, 1992. Enclosure 1 provides a summary of the EPA fee payment requirements (See page 8, Section E., Motor Vehicle and Engine compliance Program Fees), including a fee waiver process which allows a reduction in the amount of the fee payment required for qualifying manufacturers and ICIs. Enclosure 6 provides the latest version of the EPA fee filing form, which ICIs should begin using immediately.

During our review of ICI certification and fee payment procedures, we discovered that some ICIs may not be paying appropriate fees under the fee waiver provisions for vehicles entering the U.S. Our review also revealed that some ICIs did not follow EPA guidelines when submitting fee waiver requests to EPA, as outlined in EPA guidance letter CD-92-07. For example, some ICIs were requesting a fee waiver for an engine family based on a projected aggregate retail value of "one" vehicle, but were actually importing more than one vehicle. EPA guidance requires the ICI to recalculate the fee waiver amount and pay the additional fees as soon as the ICI realizes that additional vehicles would be entering the country under that certificate. However some ICIs did not recalculate the fee waiver amount or pay any additional fees.

When submitting future fee waiver requests, ICIs should follow the guidance provided in manufacturer guidance letter CD-92-07, July 7, 1992. This guidance requires ICIs to 1) base the value of the original fee waiver request on the aggregate retail sales value of all vehicles projected to be covered under one certificate (including modification and test vehicles) and 2) submit a revised waiver request to EPA and make additional fee payments as soon as the ICI is aware that the original aggregate retail sales value has increased.

We will address in the near future the issue of the overdue fee payments. We request ICIs to begin making the appropriate overdue fee payments to the U. S. Treasury immediately.

### **Revised EPA Final Admission Form:**

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<sup>4</sup> As described in EPA guidance letter from Ms. Jane Armstrong, EPA to Mr. Peter Di Bernardi, dated April 14, 1999, vehicles meeting the eligibility requirements may conduct an FTP (city) test, a highway test, and a two-hour evaporative test using a twin-rolls dynamometer, in lieu of normal EPA testing requirements. One eligibility requirement for reduced testing is that "All emission related components (including the ECM, calibration PROM, all emission and evaporative/refueling control devices, and OBD software and hardware including all sensors and actuators) are the OEM manufacturer's correct OEM parts for the vehicle and are properly installed and fully functional." Another eligibility requirement is that "The OEM manufacturer has a valid, applicable certificate of conformity covering this vehicle built with these OEM components."

To correct the deficiencies noted above, EPA has revised the final admission form (EPA Form 3520-8). The new form will make it easier for ICIs to write in the appropriate emissions test data, and provide EPA with better assurance that the appropriate fee has been paid and the vehicle complies with the applicable emission standards. The new form will be emailed to current ICIs concurrent with or shortly after this letter is emailed to ICIs. If you do not receive a copy of the form, you may request a copy from Len Lazarus at telephone number (202) 564-9281, fax number (202) 565-2057, or by emailing your request to [lazarus.leonard@epa.gov](mailto:lazarus.leonard@epa.gov). Enclosure 4 contains an example of a properly completed final admission form for a passenger car meeting Tier 1 emission standards.

ICI's should begin using the revised form immediately. Note that the mailing instructions for the form have been revised. The original signed copy of the form must be delivered to Mr. Len Lazarus in our Washington D.C. office and one copy should be faxed or delivered by an overnight courier service to the attention of Ms. Jean England in our Ann Arbor office, fax number (734) 214-4869. For the purposes of 40 CFR 85.1505(c) and 40 CFR 85.1509(i), the date of a certified mail receipt for delivery to Mr. Lazarus shall be deemed to be the official date of notification to EPA, for computing the start of the required 15 working day vehicle hold period. If an ICI telefaxes the form to Mr. Lazarus, then the date of actual receipt of the telefax by Mr. Lazarus or his designee shall be deemed to be the official date of notification to EPA. However, EPA approval for final admission will not be granted unless the original signed copy is also received by Mr. Lazarus or his designee.

#### **Email Address for EPA Guidance Letters:**

EPA notes that not all ICIs are currently listed on our email mailing list for EPA guidance letters (which are mailed from our Ann Arbor, Michigan office). Consequently this letter will require special distribution to ensure that it reaches all currently active ICIs. Please provide the appropriate email information to your EPA certification representative so that we can email future EPA guidance letters directly to your company. Instructions for submitting your company's email address(es) to EPA are provided in manufacturer guidance letters CCD-00-19, dated September 15, 2000 and CCD-00-23, dated December 21, 2000. These letters are available on the Internet at <http://www.epa.gov/otaq/cert/dearmfr/dearmfr.htm>.

#### **Summary:**

Applications for certification submitted to EPA by ICIs must contain the information outlined in the provisions of 40 CFR 86.1844-01(d) and (e). Additional guidance and advice for submitting these applications for certification is contained in manufacturer guidance letter VPCD-99-06, dated April 22, 1999. Today's letter requests that for future 2002 and later model year ICI certificate requests, ICIs should provide the following information to EPA (in addition to or included in the application for certification, as appropriate):

1. Provide satisfactory answers (once each model year) to the 14 questions contained in Enclosure 1, (page 8, item C., Certification Program Questions), and request EPA approval to use assigned DFs (or another method of generating DFs) for applicable engine family/test group(s).

2. Include a Summary Sheet in each application for certification which demonstrates compliance with applicable emission standards and contains the information similar to the example Summary Sheet provided in Enclosure 3.
3. Make an appropriate fee payment to the U. S. Treasury in advance of any EPA certification activities, as outlined in EPA guidance letter CD-92-07, dated July 7, 1992.
4. Follow EPA guidance when submitting fee waiver requests, as outlined in manufacturer guidance letter CD-92-07, July 7, 1992. Note that the waiver request should be based on the projected aggregate retail value of vehicle(s) imported under or covered by the certificate, not just the value of one vehicle.
5. Provide Cold CO, SFTP data (if required), enhanced evaporative 2-day, 3-day, running loss, and spitback/ORVR data for vehicles which do not meet the eligibility requirements of Enclosure 2.
6. Provide the EPA contact person listed in Enclosure 5 and Ms. Dotti Brayley (brayley.dotti@epa.gov) with your current email address(es) and other information about your company as outlined in manufacturer guidance letter CCD-00-19, dated September 15, 2000.

ICIs should use the following procedure for submitting final admission information to EPA for vehicles entering the country, (for modification and test vehicles as well as certified vehicles) entering the U.S.):

1. Use the most current version of the EPA final admission form (Application for Final Admission of Nonconforming Imported Vehicle or Engine, EPA Form 3520-8). Deliver the original signed copy to our Washington D.C. office and one copy to our Ann Arbor, Michigan office by fax or overnight courier.
2. For vehicles meeting NLEV or Tier 1 emission standards, indicate 50,000 and 100/120,000 mile emission compliance using appropriate DFs on the form, as shown in the example provided in Enclosure 4.
3. Make an appropriate fee payment to the U. S. Treasury prior to submitting the final admission form to EPA Washington D.C. and Ann Arbor, Michigan offices for the particular vehicle entering the country.

If you have any questions about this letter please contact your EPA certification contact person listed in Enclosure 5.

Sincerely,



Gregory A. Green, Director  
Certification and Compliance Division  
Office of Transportation and Air Quality

Enclosures

## Enclosure 1

### Initial Communication to Independent Commercial Importers (ICIs) and Small Volume Manufacturers (SVMs)

January, 2002

This communication addresses requirements regarding the Small Volume Manufacturer (SVM) and Independent Commercial Importer (ICI) certification protocol optionally available to manufacturers with less than 15,000 annual unit sales. It also describes the responsibilities to provide vehicle fuel economy labels, the average fuel economy model year report (CAFE), and solicits answers to program related questions.

To import or sell vehicles in the 45 states and the U.S. territories, a federal certificate is required, and your vehicles must demonstrate compliance with Federal Tier I/ Tier 2 emission standards.<sup>1</sup> To sell vehicles in California, New York, Massachusetts, Vermont and Maine, an Executive Order issued by the California Air Resources Board is required. To obtain information about certifying your vehicles to the applicable California emission standards, contact Duc Nguyen, manager of the Certification Section of the California Air Resources Board, at: California Environmental Protection Agency  
Air Resources Board  
9500 Telstar Avenue  
El Monte, CA 91731  
(626) 575-6844

#### A. Small-Volume Manufacturers Certification Highlights

1. Special certification procedures are available for any manufacturer whose combined U.S. sales of light-duty vehicles, light-duty trucks, heavy-duty vehicles, and heavy-duty engines are less than 15,000 units for the 2001 model year and subsequent model years, subject to the 10 percent ownership check. Manufacturers interested in certifying heavy-duty engines must contact the Washington office, Heavy Duty Team at:

US EPA Headquarters  
1200 Pennsylvania Ave., 6405J  
Washington, D.C. 20460  
Phone: (202)564-9240.

New small volume manufacturer certification regulations (i.e., Code of Federal Regulations Title 40 (40CFR) 86.1838-01 are

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<sup>1</sup> Vehicles will need to demonstrate compliance with Federal Tier I emission standards provided you do not opt-in to the National Low Emission Vehicle (NLEV) program. If you do opt-in to the NLEV program your vehicles will need to demonstrate compliance with Tier I, TLEV, LEV and/or ULEV emission standards as appropriate, such that your vehicles also meet the NMOG fleet average emission standards contained in 40CFR 86.1710.99. Beginning Model Year 2004, vehicles will need to demonstrate compliance with applicable Interim Tier 2 requirements and Tier 2 requirements.

applicable effective with the 2001 model year. Beginning with the 2001 model year the deterioration factors (d.f.) used by a small volume manufacturer will depend on the aggregated sales the manufacturer states they will sell per 40CFR 86.1826-01. A copy of the final rule, 64FR 23906, dated Tuesday, May 4, 1999 has been provided as an enclosure to this letter, or on the Internet at: [www.epa.gov/fedrgstr/EPA-AIR/1999/May/Day-04/a9062.htm](http://www.epa.gov/fedrgstr/EPA-AIR/1999/May/Day-04/a9062.htm)

Please read the eligibility requirements for small volume manufacturers found in the above final rule under 40CFR 86.1838-01.

The production of vehicles from facilities leased, operated, controlled, supervised, or in 10 percent or greater part owned by a manufacturer will be counted in calculating the total sales. Consequently, if the combined projected sales of the two or more facilities are 15,000 units or more, the special (small-volume) certification procedures would not be available to either entity, as in the case of an unaffiliated manufacturer, selling 15,000 units or more. EPA approval must be obtained for each model year before the small-volume certification procedures may be used.

2. One qualifies to use the small-volume manufacturer certification procedure if any of the following conditions apply:

- A. You are a U.S. or foreign based original manufacturer, which produces and certifies complying vehicles and/or engines, and introduces them into U.S. commerce, or
- B. You are an authorized U.S. agent of a foreign based manufacturer which produces and introduces into U.S. commerce (through you) complying vehicles and/or engines which do not require any modification, or
- C. You are an independent commercial importer as defined in 40 CFR 85.1502(a)(7).

3. Format and Timing of the Application for certification: Beginning in the 2001 model year, small volume manufacturers are required to use the CAP2000 Part I and Part II application format, as outlined in the attached manufacturer guidance letter VPCD-99-06, dated April 22, 1999, pages 16-27, and required by 40CFR 86.1844-01(d). A complete Part I application to EPA is necessary to receive a certificate of conformity. An update to the Part I application and a Part II application are required on January 1<sup>st</sup> of the applicable model year as outlined in 40 CFR 86.1844-01(e) and 86.1843-01(f). The updated application includes any changes or corrections which occurred after the initial Part I was submitted to EPA. A final Part I and Part II application is required on January 1<sup>st</sup> of the subsequent model year, ref. 40 CFR 86.1843-01(f).



Beginning with the 2002 model year, small volume manufacturers should submit applications for certification on a CD in the electronic format as outlined in the attached manufacturer guidance letter CCD-00-18, September 18, 2000. An example of an electronic application for certification is at:  
[www.epa.gov/otaq/cert/dearmfr/dermfr00.htm](http://www.epa.gov/otaq/cert/dearmfr/dermfr00.htm)

4. SFTP/Single Roll Dynamometer Compliance: In addition to the normal certification requirements, small volume manufacturers must meet Supplemental Federal Test Procedure (SFTP) requirements as follows:

<u>Program</u>	<u>Vehicle Class</u>	<u>Model Years when SFTP is Required</u>
Tier 1	LDV/LLDV	2002 and later
	HLDT	2004 <sup>2</sup> and later
NLEV	LDV/LLDV	2004 <sup>2</sup> and later
	HLDT	(NLEV Not applicable to HLDT's)
Tier 2	LDV/LLDV	2004 and later
	HLDT	2004 and later
	MDPV	Currently Not Required

Additional guidance for SFTP requirements is contained in 61 FR 54852 dated October 22, 1996 and manufacturer guidance letters VPCD-98-17 dated December 21, 1998; VPCD-99-17, dated December 16, 1999 and CCD-00-05, dated May 10, 2000.

The SFTP Testing includes a "US06" Test cycle with higher speeds and acceleration rates than the FTP (city) test and a 95°F ambient Temperature "SC03" test which is conducted with the vehicle air conditioning on. Both of these tests must be conducted on a 48- inch single roll electric dynamometer. Additionally, for test groups certified to SFTP standards, all emission testing must be conducted on a 48-inch single roll electric dynamometer, including the FTP (city), highway, US06, SC03 and evaporative tests, ref. 40CFR 86.108-00(d) and 40CFR 86.101(a)(4).

5. NLEV Program: The NLEV program is a voluntary program to introduce clean cars and light trucks in all parts of the country, earlier than EPA can require, prior to the 2004 model year under the authority of the Clean Air Act. Under the agreement between the states and larger automobile manufacturers, automobile manufacturers began selling cleaner 1999 and 2000 model year cars and trucks in Connecticut, Delaware, Maryland,

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<sup>2</sup> Note that both the Tier 1 and the NLEV programs end in the 2003 model year and are replaced by the Tier 2 program in the 2004 model year. The Tier 2 program includes emission requirements for light-duty vehicles/passenger cars, light light-duty trucks (LLDV's); heavy light-duty trucks (HLDT's) and medium duty passenger vehicles (MDPV's).

New Hampshire, New Jersey, Pennsylvania, Rhode Island, Virginia, and the District of Columbia. [Massachusetts, Maine, New York, and Vermont adopted California emission standards.]

In model year 2001 and later, the largest twenty-four automobile manufacturers will voluntarily sell these cleaner cars and trucks nationwide. Even though the automobile manufacturers volunteered for the program, the lower emission levels and other requirements of the NLEV program are enforceable like any other federal new motor vehicle program. The NLEV program will continue to exist until Federal Tier 2 emission standards become effective, in the 2004 model year. The NLEV regulations are contained in 40 CFR 86 Subpart R. The NLEV emission standards are shown at <http://www.epa.gov/oms/stds-ld.htm>.

Small volume manufacturers who want to opt in to the NLEV program should submit a letter to their EPA certification team leader following the guidance contained in 40 CFR 86.1704-99 (c). The letter should also indicate how the fleet average NMOG emission standards described in 40 CFR 86.1710-99 are to be met.

6. Tier 2 Program: Beginning in 2004 model year, small volume manufacturers will be required to meet the Tier 2 requirements contained in 65 FR 6698, dated February 10, 2000. See <http://www.epa.gov/otag/tr2home.htm> for more information about the Tier 2 requirements.

7. The Clean Air Act (at Title II, Part A, Section 202 (a) (1)) requires that motor vehicles comply with emission standards throughout the useful life of the vehicles when they are properly maintained and used. EPA will issue certificates of conformity only after a manufacturer (including any large-volume manufacturer) has provided assurances that the emission control systems are durable enough to meet this requirement. The small-volume manufacturer certification procedure allows qualified manufacturers to establish deterioration factors (d.f.'s) without necessarily running vehicles for 100,000 miles. If certain criteria outlined in A/C 51C are met, one may qualify for assigned d.f.'s for your engine family emission control systems. The provisions of Subpart S of 40CFR 86.1826-01 (b)(1)(i) of the Compliance Assurance Program (CAP 2000) state that for manufacturers with aggregate sales of less than 301 motor vehicles and heavy-duty engines per year, "The deterioration factors will be the Administrator's estimate, periodically updated and published in a guidance document or advisory circular, of the 70<sup>th</sup> percentile deterioration factors calculated using the industry-wide data base of previously completed durability data vehicles or engines used for certification." However, we have not yet provided industry-wide d.f.'s for Tier I test groups or test groups certified to more stringent standards. As explained in our discussion of assigned d.f.'s in the Durability NPRM; (ref. 57 FR 18544) "EPA expects to base its determination of assigned d.f.'s on the basis of 1993

California data." Therefore, (since we received no comments to the contrary) we feel that it is appropriate to use the assigned d.f.'s contained in California Air Resources Board Manufacturers Advisory Correspondence #91-04, July 10, 1991 in lieu of "EPA supplied industry-wide d.f.'s for Tier I test groups." These d.f.'s may also be used for vehicles certified to NLEV emission standards (i.e. TLEV, LEV or ULEV emission standards).

For light-duty vehicle engine families, a small volume manufacturer may use multiplicative assigned d.f.'s to support certification, provided the manufacturer meets the criteria provided in A/C 51c paragraph VI. B. 1, 2, 3, or 4, and paragraph VI. C, as follows:

	<u>50K DF</u>	<u>100K DF</u>
THC	1.4	N/A
NMOG/NMHC	1.4	1.8
CO	1.6	2.3
NOx	1.2	1.4

For the same reasons given above a small volume manufacturer may use additive assigned d.f.'s based on the California Manufacturers' Advisory Correspondence, MAC #97-01, for the evaporative emission controls as follows:

		3-day Diurnal + Hot Soak	2-day Diurnal + Hot Soak	Running Loss
Pass Car / Light-Duty Truck (LDT1 & LDT2)		0.18	0.18	0.002
Light-Duty Truck (LDT3 & LDT4) (6,001-8,500 lbs. GVWR)	Fuel tank < 30 gal.	0.18	0.18	0.002
Light-Duty Truck (LDT3 & LDT4) (6,001-8,500 lbs. GVWR)	Fuel tank ≥ 30 gal.	0.23	0.23	0.003

For manufacturers with aggregated sales from 301 to 14,999 motor vehicles and heavy-duty engines per year, the provisions of 40 CFR 86.1826-01(b)(2) and (3) are applicable. Paragraph (2)(i) applies to most vehicles (i.e. vehicles with conventional emission control systems) and reads as follows:

(i) Manufacturers shall use assigned deterioration factors that the manufacturer determines are based on good engineering judgment.

- (A) The manufacturer may not use deterioration factors less than either the average or 70<sup>th</sup> percentile of all of that manufacturer's deterioration factor data, whichever is less. These minimum deterioration factors shall be calculated according to procedures in paragraph (b)(2)(ii), of this section.
- (B) If the manufacturer does not have at least two data points to calculate these manufacturer specific average deterioration factors, then the deterioration factors shall be no less than the EPA supplied industry-wide deterioration factors.

Paragraph (3) does not typically apply to small volume manufacturers unless the vehicle uses an unconventional (new and unproven) emission control system. If the vehicle uses a new and unproven emission control system, follow the guidance of 40 CFR 86.1826-01(b)(3)(i) thru (v).

The Environmental Protection Agency (EPA) will not accept manufacturer's emission test data nor will it schedule confirmatory testing at EPA until d.f.'s are established and approved.

- 8. One vehicle must be tested for each test group after the vehicle has accumulated sufficient miles to stabilize the engine and emission control system (typically 4000 miles but not less than 1000 miles). Additional confirmatory tests by EPA in Ann Arbor, Michigan may be required.
- 9. The small-volume manufacturers certification regulations are in the 40CFR 86, Subpart S, Sections 86.1801-01(d), and 86.1838-01 for the 2001 model year. Additional regulations are found in 40 CFR Part 85 including recall regulations (Subpart S) and regulations applicable to importers and independent commercial importers (Subparts P and R); warranty regulations (Subpart W) and defect reporting requirements (Subpart T). If your public library does not have a copy, you can purchase Parts 85 and 86 of Title 40 of the Code of Federal Regulations from the Superintendent of Documents by Fax: (202)512-2250 or phone your order: (202)512-1800. These regulations are also available on the Internet; see <http://www.access.gpo.gov/nara/cfr-retrieve.html>.

B. Fuel Economy Responsibilities of Small-Volume Manufacturers-Highlights

A small-volume manufacturer that introduces vehicles into U.S. commerce has the same responsibilities as a large-volume manufacturer with regard to the following:

1. Fuel economy labels are required; these are window stickers of a prescribed format which display the city and highway fuel economy of the vehicle in miles per gallon. If the fuel economy does not meet specified minimum values the vehicle may be subject to a Gas Guzzler Tax, payable to the Internal Revenue Service.
2. Manufacturers are required to submit each year (no later than March 31 following the model year) their company's average fuel economy model year report, commonly known as "Corporate Average Fuel Economy" (CAFE), for each vehicle category. The calculated averages are reported to the National Highway Traffic Safety Administration (NHTSA) of the U.S. Department of Transportation. If the applicable CAFE standards are not met, you may be subject to a penalty imposed by NHTSA.
3. The fuel economy labeling and CAFE regulations are contained in the 40CFR, Part 600, Subparts A through F. If your public library does not have a copy, you can purchase Parts 425 to 699 of 40CFR from the Superintendent of Documents, or you may find them on the web at:  
<http://www.access.gpo.gov/cgi-bin/cfrassemble.cgi?title=200140>

C. Certification Program Questions

To determine your status with reference to the small-volume manufacturers certification program, please answer the following questions:

1. What are the anticipated combined U.S. sales of all light-duty vehicles, and light-duty trucks which you intend to certify during the model year in question? Provide sales brochures, pictures, or other readily available materials that would be useful in explaining your vehicles.
2. Is your company linked to any other automobile manufacturing or importing company? For example, does your company lease, operate, control, supervise, or own part of another company which manufactures, imports, or certifies vehicles? Does some other company lease, operate, control, supervise, or own part of your company? If so, what is the name of the company, the percent ownership, and the company's

projected, combined U.S. sales of all light-duty vehicles, light-duty trucks heavy-duty vehicles and heavy-duty engines for the model year?

3. Will the vehicles that you intend to certify require modification for compliance? If so, what will the modifications involve? Where will the modifications be made? Who will make them? Who will source the vehicles? Are you aware that the vehicles must have a functional OBD II (On-Board Diagnostic) system which meets the Federal and California requirements? How do you intend to comply with the OBD II regulations published under 40 CFR 86.094-17?

4. If the original manufacturer of the vehicles that you intend to certify makes production changes during the model year, how will the information be made available to EPA for updating the application for certification you must submit to obtain your certificate of conformity?

5. What are the specific details of the vehicles that you intend to certify, such as vehicle type (light-duty vehicle, light-duty truck), fuel type (gasoline, diesel), etc.?

6. What will be the model year of the vehicles that you intend to certify, and when will the vehicles be produced or imported and marketed? For ICIs, describe the process you will use to accurately determine the original production year of the vehicles.

7. Have you had any previous experience in the certification of vehicles produced or imported for sale in the United States? If so, state the model year for which you certified last.

8. What assurances do you have of the durability of your emission control systems [i.e., How do you plan to demonstrate to the Administrator that the control system technology described in your application is comparable to an effective and proven system technology which has been successfully demonstrated elsewhere under a full certification durability program. Please read Advisory Circular 51C VI (A), provided.] such that the vehicles or engines which you intend to certify will meet emission standards throughout their useful life when properly maintained and used?

9. Have you derived, or will you derive, deterioration factors (d.f.'s) from the mileage accumulation, and associated testing, of a durability-data vehicle (or from another option in case of light-duty trucks), or do you request to use assigned deterioration factors (for the model year you wish to certify) as stated above in section A,3.?

10. Are you aware of your obligation as a manufacturer to warrant, and will you warrant, the emission control system for

the useful life of the vehicle in accordance with the requirements of Title 40, Part 85 of the Code of Federal Regulations?

11. Are you aware that beginning in the 1999 model year, small volume manufacturers will have to meet new enhanced evaporative emission standards (using the procedures outlined in 40CFR 86.130-96); and beginning in the 2000 model year (for light-duty vehicles) or in the 2001 model year (for some light-duty trucks) small volume manufacturers will have to meet onboard refueling vapor recovery emissions standards? Also, are you aware that beginning in 2002 model year (for light-duty vehicles and light-duty trucks) small volume manufacturers will have to meet SFTP emission standards unless you opt into the NLEV program?

12. Do you intend to opt-in to the National Low Emission Vehicle (NLEV) Program, which is a voluntary clean car program applicable to 1999 and later model years? Information about the NLEV is contained in 62 FR 31192, June 6, 1997 and 63 FR 926, January 7, 1998. The NLEV regulations are contained in 40 CFR Part 86, subpart R, including the general opt-in provisions for automobile manufacturers outlined in the provisions of 40 CFR 86.1705-99.

13. For Independent Commercial Importers (ICIs) only. Are you aware of your obligation to conduct a FTP city emission test on every third vehicle imported under a certificate for the first 300 vehicles imported, and every fifth vehicle thereafter? Ref. 40 CFR 85.1505.

14. For ICIs only. Are you aware that the requirements of 40 CFR 85.1510 apply to vehicles imported under the provisions of 40 CFR 85.1515 (certified vehicles) and 40 CFR 85.1509 (modification and test vehicles)? Please provide a short explanation of how you intend to satisfy each requirement contained in the provisions of 40 CFR 85.1510, as follows:

- a. Provide maintenance Instructions;
- b. Provide emission warranties, including providing owners (and successive owners) with a prepaid warranty insurance policy underwritten by an independent company;
- c. Affix an emission (underhood) label in a readily visible location in the engine compartment;
- d. Affix a fuel economy label to the window of the vehicle;
- e. Comply with applicable Gas Guzzler tax requirements; and
- f. Comply with Corporate Average Fuel Economy (CAFE) requirements.

D. How to Apply for Small-Volume Manufacturer Status

1. Please read the enclosures appended to this letter and the referenced federal regulations, to determine whether you should be considered eligible.
2. Submit a request for small-volume manufacturer status recognition, including:
  - a. Completely answer the questions asked in 'C. Certification Program Questions' above,
  - b. At your option, a request to use assigned d.f.'s outlined above under section A, stating which of the eligibility criteria are applicable, and
  - c. Whether you choose the option (under b. above) or not, we must receive assurances that the engine-exhaust emission-fuel evaporative emission control systems and their components are durable for the useful life of the vehicle or engine you intend to certify.

Your request should be submitted to:

Attention: New Small Volume (or ICI) Certification,  
Certification and Compliance Division  
U.S. Environmental Protection Agency  
2000 Traverwood Drive  
Ann Arbor, Michigan 48105

After we have reviewed your letter, we will respond in writing. If you are found ineligible to certify under the small-volume manufacturers procedures, or the use of the assigned deterioration factors (specified above under section A) is not approved, we will explain the reasons for our disapproval.

#### E. Motor Vehicle and Engine Compliance Program Fees

Starting with the 1993 model year, EPA began charging an annual fee for each engine family system combination a manufacturer requests to be certified by EPA. A fee waiver provision is available to small volume manufacturers who can meet certain requirements. Applicants that qualify under this category will be required to submit a fee of 1% of the total retail sales value of vehicles covered by a certificate.

To obtain a waiver of a portion of the fee, an applicant will need to show that:

1. The certificate is to be used for sale of vehicles or



engines within the United States; and:

2. The full fee for a certification request for a MY exceeds 1% of the aggregate projected retail sales price of all vehicles covered by that certificate; and :
3. If a waiver is granted, the fee to be paid by the applicant shall be 1% of the projected retail sales price of the vehicles or engines to be covered by the certification request.
4. Independent Commercial Importers are required to submit the additional information outlined in Sections 6.1 and 6.2 of Dear Manufacturer Letter CD-92-07, dated July 7, 1992.

Publication of the final Fees rule in the Federal Register was Tuesday July 7, 1992, and became effective August 6, 1992 (see enclosure Dear Manufacturer letter CD-92-07). A copy of the rule is enclosed along with the fee filing form and its instructions. Also, on Tuesday, March 7, 2000 the EPA adopted a fee waiver provision for vehicles certified with "closed" fuel systems and for vehicles certified to the Clean-Fuel vehicle (CFV) standards. At that time the EPA also adopted a provision for calculating eligibility for a partial fee waiver for vehicles converted to operate on a gaseous fuel. The fee waivers adopted will be effective for the 2000 Model Year (MY) and will continue through MY 2003.

For your reference, the following information is available on the Internet:

<u>Information</u>	<u>WEB Address</u>
Any code of Federal Regulation. (CFR), 1995 and later Federal Register documents.	<a href="http://www.access.gpo.gov/nara/cfr">www.access.gpo.gov/nara/cfr</a>
CAP2000 Regulations.....	<a href="http://www.epa.gov/fedrgstr/EPA-AIR/1999/May/Day-04/a9062.htm">www.epa.gov/fedrgstr/EPA-AIR/1999/May/Day-04/a9062.htm</a>
Manufacturer Guidance Letters...	<a href="http://www.epa.gov/otaq/cert/dearmfr/dearmfr.htm">www.epa.gov/otaq/cert/dearmfr/dearmfr.htm</a>
NLEV Regulations.....	<a href="http://www.epa.gov/otaq/lev-nlev.htm">www.epa.gov/otaq/lev-nlev.htm</a>
Tier II Regulations.....	<a href="http://www.epa.gov/oms/tr2home.htm">www.epa.gov/oms/tr2home.htm</a>

Certification Manufacturers'..... [www.epa.gov/otag/cmug.htm](http://www.epa.gov/otag/cmug.htm)  
User Guide (CMUG) for EPA's  
computer data base.

**Additional Information (located on our Internet Web Site at:)**

- Dear Manufacturer Letters CD-87-02 (LD/HD) and CD-88-02 (LD)  
See Manufacturer Guidance Letters, years 1987 & 1988
- Fees Rule, 57 FR 30044 Tuesday, July 7, 1992  
<http://www.epa.gov/OMS/regs/ld-hwy/feesread.txt>
- Fees Rule, 40 CFR 86.903  
<http://www.epa.gov/OTAO/40ch86j.pdf>
- Optional Certification Streamlining Procedures for Light-Duty Vehicles, Light-Duty Trucks, and Heavy-Duty Engines for Original Equipment Manufacturers and for Aftermarket Conversion Manufacturers; Final Rule, 63 FR 38767, Tuesday, March 7, 2000  
<http://www.epa.gov/OTAO/cert/ocspfr.pdf>
- Dear Manufacturer Letter CD-92-07  
(LDV/LDT/HDV/HDE/MC/ICI/SM)  
See Manufacturer Guidance Letters, year 1992
- National Low Emission Vehicle Program; Final Rule, Wednesday, January 7, 1998  
<http://www.epa.gov/OMS/regs/ld-hwy/lev-nlev/nlev-rtc.pdf>
- CAP 2000 Rule, 64 FR 23906 Tuesday, May 4, 1999  
<http://www.epa.gov/OTAO/cert/cap2000.pdf>
- VPCD-99-06, dated April 22, 1999  
See Manufacturer Guidance Letters, year 1999
- CCD-00-18, dated September 18, 2000  
See Manufacturer Guidance Letters, year 2000

**Information about Gas Guzzler Taxes:**

IRS Contact: Mr. Jody Jacobs, Excise Tax Specialist;  
Internal Revenue Service (IRS)  
email: [jody.jacobs@irs.gov](mailto:jody.jacobs@irs.gov)  
Phone: (410) 962-9298  
Fax: (410) 962-6174

h:/ccd/new small volume manufacturer/letter templates/ICI SVM Letter Jan2002.wpd

## Enclosure 2



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
NATIONAL VEHICLE AND FUEL EMISSIONS LABORATORY  
2565 PLYMOUTH ROAD  
ANN ARBOR, MICHIGAN 48105-2498

OFFICE OF  
AIR AND RADIATION

April 14, 1999

Mr. Peter Di Bernardi  
Liphart & Associates, Inc.  
17 Trade Zone Drive  
Ronkonkoma, New York 11779

Dear Mr. Di Bernardi:

This letter provides some specific feedback on the proposals discussed during our February 24, 1999 meeting and documented in your March 10 letter.

At the meeting we discussed some of the special situations which apply to ICI vehicles and your concerns about providing certain types of test data to demonstrate compliance with the standards. In particular you noted that the typical ICI vehicle is an owner-imported vehicle (not for resale) and is modified through the installation of OEM parts to be identical to a certified OEM vehicle sold in the United States. You expressed concerns about the cost of running cold CO tests, enhanced evaporative/refueling tests, and SFTP tests. You also requested an exemption from the OBD2 requirements for several years.

Based on these discussions, EPA is now willing to allow alternative methods of compliance demonstration for Independent Commercial Importers (ICI) which meet certain requirements. However, it is important to note that EPA will not grant exemptions for compliance with standards (such as not equipping vehicles with OBD2 systems when required).

### Eligibility Requirements

To be eligible for the following special compliance demonstration procedures the ICI must state in the application for certification that:

1. The vehicle was imported for the private use of an individual and is not for commercial resale.
2. All emission related components (including the ECM, calibration PROM, all emission and evaporative/refueling control devices, and OBD software and hardware including all sensors and actuators) are the OEM manufacturer's correct OEM parts for the

vehicle and are properly installed and fully functional.

3. The OEM manufacturer has a valid, applicable certificate of conformity covering this vehicle built with these OEM components.

4. The modified vehicle is fully compliant with all emission standards and requirements applicable to the vehicle. See the special compliance demonstration procedures, below, for required test data.

5. Vehicles have the proper OBD systems (typically OBD2 systems) installed and operating. The ICI manufacturer has tested and verified the system's ability to find faults (such as disconnected components), set codes, and illuminate the light. The ICI manufacturer has verified that after sufficient prep driving, the OBD readiness codes were set and the OBD system did not display any malfunctions.

6. No more than 300 vehicles have been modified by the ICI for the model year using these special compliance demonstration procedures.

#### **Special Compliance Demonstration Procedures**

This program is available to ICI manufacturers meeting the eligibility requirements discussed above.

1. Demonstrate compliance (emission levels adjusted by deterioration factors) with all applicable exhaust emission standards (replacing NMHC for NMOG) by supplying test data for the following test procedures:

FTP test. A twin roll hydro-kinetic dynamometer with 55-45 MPH DPA may be used in lieu of single roll electric dynamometer with full speed road force coefficients. If a twin roll dyno is used, provide a statement that the vehicle will comply with all applicable standards using a single roll dyno and NMOG measurements.

Highway test. A twin roll hydrokinetic dynamometer with 55-45 MPH DPA may be used in lieu of single roll electric dynamometer with full speed road force coefficients. If a twin roll dyno is used, provide a statement that the vehicle will comply with all applicable standards using a single roll dyno.

Evap test. The one-hour SHED evap test may be conducted in lieu of the 2 or 3 day enhanced evap test and the refueling test. In this case the manufacturer shall supply a statement of compliance with the applicable enhanced evap/refueling standards.

2. Demonstrate compliance with the applicable OBD requirements.

Note that OBD 1 systems may not be used to meet the current requirements. This requirement may be met by installing all appropriate OEM OBD software and hardware including all sensors and actuators required for the system to properly operate. A statements of compliance and an ICI manufacturer system check-out are required as discussed in the eligibility requirements, above.

3. A statement of compliance with the applicable Cold CO standards may be provided in lieu of actual Cold CO emission data.

4. A statement of compliance with the applicable SFTP standards may be provided in lieu of actual SFTP emission data.

If you have any questions on this issue, please contact Mr. Eldert Bontekoe at (734) 214-4442.

Sincerely yours,



Jane Armstrong, Director  
Vehicle Programs and Compliance Division

cc: Jonathan Weisheit, JK Motors  
Joseph Marino, Champagne Imports  
Les Weaver, Wallace Environmental Testing Laboratories

**Independent Commercial Importer  
Alternate Compliance Demonstration Statements**

**This vehicle was imported for the private use of an individual, and is not for commercial resale.**

**All emission related components and OBD II software and hardware are the OEM manufacturer's correct OEM parts for the vehicle and are properly installed and fully functional.**

**The OEM has a valid, applicable certificate of conformity covering this vehicle built with these OEM components.**

**This vehicle is fully compliant with all emission standards and requirements applicable to this vehicle.**

**This vehicle has the proper OBD II system, and the system has been tested and verified to find faults, set codes, and illuminate the light. After sufficient prep driving, the OBD system has been verified to set OBD readiness codes, and the OBD system did not display any malfunctions.**

**No more than 300 vehicles will be modified for this model year, using these special compliance demonstration procedures.**

**This vehicle complies with all applicable Cold CO standards.**

**This vehicle complies with all applicable SFTP standards.**

## Enclosure 3

### Example ICI Summary Sheet - Test Group 2XXXV05.0XXX

Page 1 of 2

**Independent Commercial Importer:**

Lone Star ICI Company, Inc.

Summary Sheet Number:

XXXLDV01

Date:

Jan 7, 2002

Date Revised:

Jan 20, 2002; Feb 2, 2002

**Certificate Information:**

Certificate Model Year:

2002

Original Production Year:

2000

Original Manufacturer Name:

Name of OEM Manufacturer

Carlines Covered:

Carline 1 (45 States); Carline 2 (50 States); Carline 3 (Calif & 177 States);

**Durability Information:**

Durability Group Name:

2XXXGPGNNXXX

Durability Group Description:

Four Stroke, Otto Cycle, Gasoline fueled, Ported Fuel Injection  
Catalyst Code ABC, Unheated Ceramic Monolith Pt/Pd/Rh

Source of Deterioration Factors (DFs):

Assigned 50K/100K DFs approved by EPA

Durability Group Comments:

**Test Group Information:**

Test Group Name:

2XXXV05.0XXX

Test Group Description:

5.0 & 4.8 liter V8 LDV

OBD Type:

California OBD-II

Method of Aspiration:

All vehicles in this test group are supercharged & intercooled

Valves per Cylinder:

4

Applicable Exhaust Standards:

Federal: Tier California: LEV

Test Group Comments:

All vehicles in this test group will be modified to OEM U.S. certified specifications, ref OEM certificate XXXLDV-XX, Test Group YXXXV05.0ABC.

**Evaporative/Refueling Family Name(s):**

2XXXR0180XXX

Applicable Evaporative Standards:

Federal: Tier 1; California Tier 1

Evaporative/Refueling Family Description:

1.8-liter Carbon Canister, ORVR, 22.0 gallon metal fuel tank

Evaporative/Refueling Comments:

All vehicles in this evaporative/refueling family will be modified to OEM U.S. certified specifications, ref. OEM certificate XXXLDV-XX, evap/refueling family YXXXR0180ABC.

## Example ICI Summary Sheet - Test Group 2XXXV05.0XXX

Page 2 of 2

### Test Vehicle Information:

Vehicle Identification Number: VID-1  
 Vehicle Configuration Number: 0  
 Test Vehicle Carline Name: Carline #1  
 Displacement of Test Vehicle: 5.0-liter  
 Rated Horsepower of Test Vehicle: 310 horsepower  
 Emission-Related Components: Air pump, EGR, multipoint fuel injection, 3-way catalyst, 4 heated Oxygen sensors, closed loop  
 System Miles on Emission-Related Components: 1025 miles  
 Transmission Type: Automatic 5-speed  
 Engine Code: OEM Engine Code A101  
 Axle Ratio: 3.01  
 Tires: P215/65R15 Michelin

### Test Data & Compliance with Emission Standards:

Name & Location Of Test Laboratory: ABCDE Emission Testing Laboratory; Address; City State, Zip code.  
 Dynamometer Equivalent Test Weight: 4000 pounds  
 Dynamometer Horsepower (twin rolls): 12.4 horsepower  
 Dynamometer a, b, c coefficients (single roll): NA  
 Preloaded Canister FTP Test? (Y or N): No, exemption requested under EPA guidance letter to Mr. DiBernardi, April 14, 1999, as provided to all ICIs.  
 Test Fuel: EPA Unleaded Gasoline, Sulfur content 40ppm

<u>Type of Test</u>	<u>Odometer Miles</u>	<u>Test Date</u>	<u>Emis- sions</u>	<u>Test Result</u>	<u>Useful Life (miles)</u>	<u>DF</u>	<u>Cert Level (g/mi)</u>	<u>Emission Standard (g/mi)</u>	<u>Tier</u>	<u>Comments</u>
FTP (City) Test	30,128	12/20/01	HC	0.27	50,000	1.3	0.35	0.41	Tier 1	Pass
			NMHC	0.14	50,000	1.4	0.20	0.25	Tier 1	Pass
			NMHC	0.14	100,000	1.8	0.25	0.31	Tier 1	Pass
			CO	1.15	50,000	1.6	1.8	3.4	Tier 1	Pass
			CO	1.15	100,000	2.3	2.6	4.2	Tier 1	Pass
			NOx	0.222	50,000	1.2	0.27	0.4	Tier 1	Pass
			NOx	0.222	100,000	1.4	0.31	0.6	Tier 1	Pass
			MPG	11.2						
Evaporative 2-hour Test (units are grams/test)	30,128	12/20/01	HC	0.56	100,000	0.4	1.0	2.0	Tier 1	Pass; Additive DF
Highway Test	30,146	12/21/01	MPG	18.3						13.7mpg, combined*

\* Harmonic average mpg is weighted 55% city, 45% highway; calculated per 40 CFR 600.513-91(a)(2)



# Enclosure 4

Form Approved OMB 2060-0095 2060-0294 Approval Expires 8/31/03



## United States Environmental Protection Agency Application for Final Admission of Nonconforming Imported Vehicle or Engine

**Warning:** Any person who knowingly makes any false or fraudulent statement, or omits or conceals a material fact can be fined up to \$250,000 or imprisoned for up to 5 years, or both (18 United States Code 1001). This form is required to be submitted to EPA under 40 CFR 85.1505, 85.1509, 89.605, 89.609.

1. Port of entry <b>Miami</b>	2. Entry date (mo/dy/yr) <b>11-1-2001</b>	3. Customs entry number: <b>XXXX</b>	4. Vehicle Identification Number (VIN), or engine serial number <b>XXXXXXXXXXXXXXXXXXXX</b>
5. Date of original manufacture (mo/yr) <b>4/2000</b>	6. Original manufacturer <b>OEM Manufacturer</b>	7. Model <b>XXX Model</b>	
8. Declaration code (letter or box number from EPA form 3520-1 or 3520-21) <b>A</b>		9. EPA certificate no. and model year and expiration date of certificate applicable to this importation <b>XXXXLDV01-2002-12/31/02</b>	

### Names, Addresses, and Telephone Numbers of Relevant Parties

10. Importer (ICI) <b>ICI Company Name</b> <b>Address</b> <b>City, State, Zip Code</b>	11. Owner <b>John Q. Public</b> <b>Address</b> <b>City, State, Zip Code</b>	12. Vehicle/engine storage location (no P.O. boxes) <b>Address</b> <b>City, State, Zip Code</b>
Telephone number <b>(xxx) xxx-xxxx</b>	Taxpayer ID # <b>xxx</b>	Telephone number <b>(xxx) xxx-xxxx</b>
13. Person to receive oral or written notification that EPA has not approved final admission <b>ICI Company Official</b>	14. Telephone number <b>(xxx) xxx-xxxx</b>	15. Modification date <b>12/2001</b>

16. Designate the provisions under which the vehicle/engine was modified and tested. ☒ **04** For vehicle or engine modified under a certificate, write sequence number in this box beginning with the first one imported under the certificate, which is the certified prototype. Ordinarily, every 3rd one is tested (1st, 4th, 7th, 10th, etc.) ☐ For modification/test vehicle or engine, mark "X" in this box.

Name of test laboratory **ABCDE EMISSION TESTING Laboratory, City, State, Z.p**

Initial test results: (indicate applicable units and pollutants)

Deterioration factors (as applicable)

Test results adjusted by the deterioration factor and rounded to two significant figures using ASTM E 29-67 rounding procedures:

(Tier 1)

Emission standards

Specify mileage used for full useful life

	Date of test	Deterioration factors (as applicable)		Test results adjusted by the deterioration factor and rounded to two significant figures using ASTM E 29-67 rounding procedures:		(Tier 1) Emission standards		Specify mileage used for full useful life
		50K	full useful life	50K	full useful life	50K	full useful life	
12-25-01								100 K mi
0.035 g/mi	HC (NMHC) or NOx-HC g/mi or g/kW-hr	1.4	1.8	0.049	0.063	0.25	0.31	g/mi or g/kW-hr
0.11 g/mi	CO g/mi or g/kW-hr	1.6	2.3	0.18	0.25	3.4	4.2	g/mi or g/kW-hr
0.10 g/mi	NOx g/mi or g/kW-hr	1.2	1.4	0.12	0.14	0.4	0.6	g/mi or g/kW-hr
0.83 grams	Evap. g/test	NA	0.18	NA	1.0	NA	2.0	g/test
NA	Particulate g/mi or g/kW-hr	NA	NA	NA	NA	NA	NA	g/mi or g/kW-hr

18. Combined Fuel Economy. For vehicles only - report the combined fuel economy value (harmonic average calculated per 40 CFR 600.513-91(a)(2)) from the last city and highway test for each modification/test vehicle.

**11.2 mpg (city) 18.3 mpg (hwy) 13.7 mpg combined (55% city 45% hwy)**

19. For EPA use only  
Date final admission form received

20. Place an "X" in only one box

☒ I certify that the vehicle or engine has been modified in accordance with the provisions of a currently valid certificate of conformity. If applicable, a Federal Test Procedure was performed on the vehicle or engine in accordance with procedures in 40 CFR Part 86 or Part 89 as applicable at a laboratory in the U.S. (40 CFR 85.1505(a)(2)(ii), 89.605(a)(2)(ii)).

☐ I certify that the vehicle or engine has been modified and the Federal Test Procedure was performed on the vehicle or engine in accordance with procedures in 40 CFR Part 86 or 89 at a laboratory in the U.S. For a vehicle, the emission testing and development of Fuel Economy data were performed after modification to Department of Transportation safety standards. (40 CFR 85.1509(g)(2), 89.609(b)(2)).

☐ I certify that the vehicle or engine has been modified in accordance with the provisions of a currently valid certificate of conformity. EPA has approved the plan for me to receive information concerning OEM running changes that affect emissions and therefore testing was not required. (40 CFR 85.1505(a)(2)(i), 89.605(a)(2)(i)).

21. I certify that as the certificate holder I have provided or will provide to the purchaser or owner of the vehicle or engine, as applicable:

- (1) written instructions for maintenance and use as required by 40 CFR 85.1510(a), 89.610(a);
- (2) an emissions warranty as described in 40 CFR 85.1510(b), 89.610(b), Part 85 Subpart V and Clean Air Act sections 207(a) and (b);
- (3) an emission label as required by 40 CFR 85.1510(c), 89.610(c) and Part 600 Subpart D;
- (4) a fuel economy label as required by 40 CFR 85.1510(d) and Part 600 Subpart D.

I certify that as the certificate holder I have complied with the applicable provisions of the Energy Act of 1978, 26 USC 4064 (gas guzzler tax) and for vehicles not owned by me I have provided the applicable tax forms to the owner;

I have complied with the requirements of 40 CFR 80.24 as applicable to affix applicable unleaded fuel labels;

I am responsible for the vehicle or engine compliance with Federal emission requirements regardless of whether I own the vehicle or engine.

I certify that I have read and understand the warning above regarding the submission of false or fraudulent statements or concealing a material fact, and the prohibited acts in 40 CFR 85.1513, 89.612 as applicable, and that the information I have provided is correct.

I understand that EPA Enforcement Officers are authorized to conduct inspections or testing otherwise permitted by 40 CFR Parts 85 or 89 or other applicable provisions of the law.

I will hold this vehicle or engine at least 15 working days from the date of EPA's receipt of the final admission information unless otherwise notified by EPA.

I have paid the applicable Motor Vehicle and Engine Compliance Program fee for this vehicle and submitted the Fee Filing Form (OMB No. 2060-0104) with the payment, (ref: EPA guidance letter CD-92-07, July 7, 1992).

Specify check number of fee payment #1502 Date of check 11/27/01

Signature of ICI corporate officer

*John Henry*

Print or type name

*John Henry*

Date signed

*11/1/2002*

#### Mailing Instructions

Fax or mail this form to the following addresses (one form to each address). For delivery of copy #1 by certified U.S. Express Mail use the following address:

For delivery of copy #1 by a courier service (e.g., Federal Express, DHL, etc.) only use the following address:

For delivery of copy #2, use the following address:

Attn: FINAL ADMISSION  
U.S. Environmental Protection Agency  
Certification and Compliance Division (6405-J)  
1200 Pennsylvania Avenue, N.W.  
Washington, D.C. 20460 (202) 564-9240  
(202) 565-2057 (fax)

Attn: FINAL ADMISSION  
U.S. Environmental Protection Agency  
Certification and Compliance Division (6405-J)  
501 3<sup>rd</sup> Street N.W.  
Washington, D.C. 20001 (202) 564-9240

Attn: FEES COORDINATOR  
U.S. Environmental Protection Agency  
Certification and Compliance Division  
2000 Traverwood Drive  
Ann Arbor, MI 48105 (734) 214-4888  
(734) 214-4869 (fax)

#### Privacy Act Statement

Collection of the information on this form is authorized by the Clean Air Act, 42 USC 7401 et seq. (see 40 CFR 85.1501 et. seq. and 89.601 et. seq.) The Environmental Protection Agency (EPA) uses this information to determine compliance of noncomplying imported vehicles with U.S. emission requirements and for investigations with respect to EPA's import regulations. The information will be supplied to the Internal Revenue Service for the purpose of collecting the gas guzzler tax where applicable. Disclosure of this information may also be made to other Federal, State, or local law enforcement agencies when there is a violation of civil or criminal law. Furnishing the information on this form, including your Social Security Number, is voluntary but failure to do so may result in disapproval of the importation of the vehicle identified on this form.

#### Paperwork Reduction Act Notice

This information is collected to ensure that motor vehicles and engines imported into the U.S. conform with applicable emission requirements. Responses to this collection are mandatory (40 CFR 85.1501 et seq., and Clean Air Act Sections 203 and 208). Information submitted to the Agency under a claim of confidentiality will be safeguarded according to policies set forth in Title 40, Chapter 1, Part 2, Subpart B. The public reporting and recordkeeping burden for this collection of information is estimated to average 30 minutes per response. Burden means the total time, effort, or financial resources expended by persons to generate, maintain, retain, or disclose or provide information to or for a Federal agency. This includes the time needed to review instructions; develop, acquire, install, and utilize technology and systems for the purposes of collecting, validating, and verifying information, processing and maintaining information, and disclosing and providing information; adjust the existing ways to comply with any previously applicable instructions and requirements; train personnel to be able to respond to a collection of information; search data sources; complete and review the collection of information; and transmit or otherwise disclose the information. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number. Send comments on the Agency's need for this information, the accuracy of the provided burden estimates, and any suggested methods for minimizing respondent burden, including through the use of automated collection techniques to the Director, Collection Strategies Division, U.S. Environmental Protection Agency (2822), 1200 Pennsylvania Ave., NW, Washington, D.C. 20460. Include the OMB control number in any correspondence. Do not send the completed form to this address.

## Enclosure 5

<b>Independent Commercial Importers</b>	<b>EPA Lead</b>	<b>Contact Phone 734-214-xxxx Fax 734-214-4869</b>	<b>Backup</b>
Adesa (Int'l Veh Importers)	Frank Lamitola x4479	Mary Green x4411	Ted Trimble x4289
American Auto Dream, Inc.	Frank Lamitola x4479	Ted Trimble x4289	Bruce Sdunek x4733
Automobile Concepts	Frank Lamitola x4479	Ted Trimble x4289	Bruce Sdunek x4733
Automotive Conversion	Frank Lamitola x4479	Ted Trimble x4289	Bruce Sdunek x4733
Auto Enterprises	Frank Lamitola x4479	Ted Trimble x4289	Bruce Sdunek x4733
Auto Research. & Testing (Liphardt)	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
Black Shrine	Frank Lamitola x4479	Ted Trimble x4289	Bruce Sdunek x4733
CXA	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
Champagne Imports, Inc.	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
Comp & Research Services	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
DC Imports Int'l	Frank Lamitola x4479	Mary Green x4411	Ted Trimble x4289
Env Testing of Long Island (Liphardt)	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
Eurotech Motors, Inc.	Frank Lamitola x4479	Bernd Liebner x4426	Bruce Sdunek x4733
G & K	Frank Lamitola x4479	Bernd Liebner x4426	Bruce Sdunek x4733
Import Trade Services	Frank Lamitola x4479	Bernd Liebner x4426	Bruce Sdunek x4733
Individual Auto Imports	Frank Lamitola x4479	Frank Lamitola x4479	Bruce Sdunek x4733
Int'l Veh Importers (Adesa)	Frank Lamitola x4479	Mary Green x4411	Ted Trimble x4289
J. K. Technologies	Frank Lamitola x4479	Bernd Liebner x4426	Bruce Sdunek x4733
Liphardt	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
Milwaukee Motorcycle Imports	Frank Lamitola x4479	Mary Green x4411	Ted Trimble x4289
N. Calif Diag Labs	Frank Lamitola x4479	Fred Hart x 4877	Bruce Sdunek x4733
Sun International	Frank Lamitola x4479	Fred Hart x 4877	Bruce Sdunek x4733
U.S. Conformance	Frank Lamitola x4479	Fred Hart x 4877	Bruce Sdunek x4733
Vehicle & Engine Emission Testing Services (Liphardt)	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
Wallace	Frank Lamitola x4479	Fred Hart x 4877	Ted Trimble x4289
New & Other ICIs (A to G)	Frank Lamitola x4479	Bruce Sdunek x4733	Ted Trimble x4289
New & Other ICIs (H to O)	Frank Lamitola x4479	Bernd Liebner x4426	Bruce Sdunek x4733
New & Other ICIs (P to Z)	Frank Lamitola x4479	Fred Hart x 4877	Ted Trimble x4289
New & Other ICIs (Motorcycles Only)	Frank Lamitola x4479	Mary Green x4411	Ted Trimble x4289

**U.S. ENVIRONMENTAL PROTECTION AGENCY**  
**MOTOR VEHICLE AND ENGINE COMPLIANCE PROGRAM**  
**FEE FILING FORM**  
(Please type or print)

Applicant's Corporate Name \_\_\_\_\_

Address \_\_\_\_\_

City/State/Zip Code/Country \_\_\_\_\_

## Certification Request Type (check one)

<input type="checkbox"/> CAP 2000 LDV/LDT (\$27,211)	<input type="checkbox"/> CAP 2000 LDV/LDT CALIF-ONLY (\$8,956)
<input type="checkbox"/> LDV/LDT (\$23,731)	<input type="checkbox"/> LDV/LDT CALIF-ONLY (\$9,127)
<input type="checkbox"/> HDE/HDV (\$12,584)	<input type="checkbox"/> HDE/HDV CALIF-ONLY (\$2,145)
<input type="checkbox"/> HDV/EVAP-ONLY (\$2,145)	<input type="checkbox"/> MOTORCYCLE (\$840)

EPA standard engine family or test group name:

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Exhaust emission control system number:

{Not applicable (N/A) to CAP 2000 Test Group}

	of	
--	----	--

Amount paid (U.S.Fund Only):

{Make check payable to: "U.S. ENVIRONMENTAL PROTECTION AGENCY"}

\$ 

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Enter check number, "EFT/WIRE" or "EFT/ACH":

--

{Indicate on the check: std. engine family or test group name and control system number}{Indicate in the EFT message field:

Location Code# "68-01-0099", "EPA MVECP Fee", ABA# "021030004"

std.engine family or test group name, control system number, and corporate name)

**Waiver** (only, if applicable and with prior EPA approval)

Waiver approval number \_\_\_\_\_ Projected sales volume \_\_\_\_\_

Aggregate projected retail sales price:\$ \_\_\_\_\_ Amendment? ☐For ICI: Vehicle ID No's(VIN): 

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(If additional VINS, put on separate page)

EPA Cert. Representative Approval: \_\_\_\_\_, Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

Authorized Company Representative

Date: \_\_\_\_\_

Typed Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

Telephone: \_\_\_\_\_

Send all Fee Filing Forms and all checks and EFT/ACH payments to:

Environmental Protection Agency  
Motor Vehicle and Engine Compliance Program  
P.O. Box 954472  
St. Louis, MO 63195-4472

Transmit EFT/Wire payments only to the New York Federal Reserve Bank and send the Fee Filing Form for the wire to the above address.

**Fee Filing Form Instructions****Corporate Name and Address**

List the applicant's corporate name and corporate address which will appear on the Certificate of Conformity.

**Certification Request Type**

Check the box which specifies the certification request type.

**EPA Standard Engine Family or Test Group Name**

Enter the appropriate EPA standardized engine family or test group name that will appear on the Certificate of Conformity.

**Exhaust Emission Control System Number (if applicable)**

Enter the exhaust emission control system number that identifies the unique engine-system combination.

**Amount Paid**

Enter the appropriate fee amount for the designated certification request type. The full fee, payable in U.S. dollars, is to accompany the filing form.

**Check Number, EFT/ACH, or EFT/WIRE**

Enter the number of the corporate check, money order, bank draft, certified check, or enter the letters "EFT/ACH" or "EFT/WIRE" if sending an electronic funds transfer. Indicate the standard engine family or test group name and exhaust emission control system number (if applicable) on the check or EFT. Please contact your certification representative for EFT/ACH payment procedures.

**Waiver (only, if applicable)**

All fee waiver requests must be submitted in writing and approved by EPA prior to filing this form. EPA will assign a waiver approval number. Enter the waiver approval number, projected sales volume and aggregate projected retail sales price on the fee filing form. Submit the fee waiver payment. If an ICI vehicle, please enter VIN for any vehicles already (or soon to be) in your possession. For any additional VINs, please use a separate page. Check the amendment box only when making changes to the originally approved fee waiver amount, or when adding new VINs.

**Authorized Company Representative**

Enter the representative's name (typed), signature, title, telephone, number, and date.

**Shipment by Private Mail Service (other than U.S. Postal Service)**

If the remitter chooses to ship by a private mail service such as Federal Express, Airborne Express, or another shipping service other than the U.S. Postal Service, then the remitter should send the fee payment and fee filing form to:

**Mercantile Bank N.A.  
Government Lock Box Division  
TRAM#41-2, Operations Center  
1005 Convention Plaza  
St. Louis, MO. 63101-1200**